

REMARKS

This paper is filed to supplement the paper titled Amendment and Response, which was filed on August 18, 2010, in reply to the Office Action mailed February 28, 2010 regarding the above-referenced Application. Claims 1, 4, 7, 8, 26-31, and 47-50 were pending in the Application, and claims 1, 4, 26-31 and 47 stand rejected. By this paper, claim 1 is amended, claims 4, 7, 8, 26-31, and 47-50 remain as previously presented. It is respectfully submitted that the amendments to claim 1 add no new matter to the Application; illustrative examples of support for these amendments can be found in paragraphs [0136] - [0138] and in Figs. 8B-8F of the Application, as filed. Reconsideration of the Application in view of the amendments and the following remarks is respectfully requested.

The Applicants thank Examiner Darwin Erez for the courtesy extended to the undersigned attorney in a personal interview conducted on October 19, 2010. The Applicants respectfully note that the Interview Summary, which issued on October 21, 2010, is a complete and proper recitation of the interview, as it accurately sets forth all of the applicable items concerning the substance of the interview pursuant to M.P.E.P. § 713.04.

The amendments discussed in the interview have been added. Claim 1, as amended, recites a method for connecting a vessel to another vessel comprising:

providing a synthetic graft vessel having a first end and a second end, the second end coupled with a stent such that portions of the stent are fixedly attached to the second end of the graft vessel, wherein the stent defines an outer diameter when in an uncompressed state;

anastomosing the first end of the graft vessel to a side of an artery to yield an end-to-side anastomosis;

inserting an introducer into a vein at a vein opening that is at a side of the vein;

inserting a sheath into the vein at the vein opening such that, when both the introducer and the sheath are in the vein, at least a portion of the introducer is within the sheath;

removing the introducer from the vein;

inserting, after removal of the introducer from the vein, the second end of the graft vessel into the sheath such that at least a portion of the stent is advanced into the vein so as to extend longitudinally therein, wherein the vein, at a position of the vein opening, has an inner diameter equal to or smaller than the outer diameter defined by the stent when in an uncompressed state; and

removing the sheath from the vein such that the second end of the graft vessel is anastomosed to the vein and is longitudinal oriented within the vein to yield an end-to-end anastomosis in which a portion of the vein to which the second end of the graft vessel is anastomosed becomes a terminal portion of the vein.

Claim 1 stands rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Patent No. 6,485,513 that issued to Fan ("Fan") in view of U.S. Patent No. 6,063,114 that issued to Nash et al. ("Nash") and U.S. Patent No. 5,749,895 that issued to Sawyer et al. ("Sawyer"). The Applicants respectfully submit that amended claim 1 is not obvious in view of any of Fan, Nash, or Sawyer, whether these references are considered individually or in combination. The method of claim 1 involves, *inter alia*, an anastomosis between a vein and a graft vessel that is attached to a stent. The stent is inserted into the side of a vein "such that at least a portion of the stent is advanced into the vein so as to extend longitudinally therein." After the sheath is removed from the vein, "the second end of the graft vessel is anastomosed to the vein and is longitudinal oriented within the vein to yield an end-to-end anastomosis in which a portion of the vein to which the second end of the graft vessel is anastomosed becomes a terminal portion of the vein." The Applicants respectfully submit that none of the cited prior art teaches or renders obvious such a method. Accordingly, the Applicants respectfully submit that claim 1 is allowable.

Independent claim 1, as amended, remains generic to at least withdrawn claims 7 and 8. Therefore, the Applicants hereby request rejoinder of claims 7 and 8 because each of these claims depends from an allowable independent claim and requires all the limitations of the independent claim from which it depends. See M.P.E.P. § 821.04.

Conclusion

In view of the foregoing amendments and remarks, the applicants submit that the claims define patentable subject matter and a Notice of Allowance is respectfully requested. Should questions exist after consideration of the foregoing, the Office is kindly requested to contact the applicants' attorney at the address or telephone number given herein.

DATED this 23rd day of November, 2010.

Respectfully submitted,

/Kevin B. Laurence/

Kevin B. Laurence
Attorney for Applicant
Registration No. 38,219

Stoel Rives LLP
One Utah Center
201 South Main Street, Suite 1100
Salt Lake City, UT 84111
Telephone: 801-578-6926